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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,304	12/04/2001	Yoko Suzuki	2001-1792A	8913

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WASHINGTON, DC 20006-1021

EXAMINER

PHAM, MINH CHAU THI

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 06/26/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/000,304

Applicant(s)

YOKO ET AL

Examiner

PHAM

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

Pre-amdt

- 1) ☒ Responsive to communication(s) filed on 03/18/02
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 1-55 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-50 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 51-55 is/are rejected.
- 7) ☐ Claim(s) 1-10 and 51-55 is/are objected to.
- 8) ☐ Claim(s) 1-10 and 51-55 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 11-50 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on 11-50 is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. 7.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7
- 4) ☐ Interview Summary (PTO-413) Paper No(s) 7
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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*Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-10 and 51-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,364,922 B1; Abstract; Fig. 2; col. 1, lines 5-8 and line 62 through col. 2, line 3; col. 3, lines 19-26; col. 5, lines 15-35 and lines 50-67; col. 6, line 30 through col. 7, line 13) and Baseman et al (5,346,518; Abstract; col. 7, lines 41-64; col. 8, lines 34-42; col. 10, lines 13-24 and lines 58-68; col. 13, line 63 through col. 14, line 29; col. 19, lines 11-33).

Both Tanaka et al and Baseman et al disclose a substrate transport apparatus comprising a transport pod that can be sealed hermetically for holding substrates comprising at least one filter

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for purifying the gas, including a filter for removing particular substances, a filter for removing chemical substances, a circulation apparatus for circulating a purified gas, a holding apparatus for holding the substrates by exposing the substrates to the purified gas. Baseman et al further disclose a dehumidifying apparatus for removing moisture from the pod. Both Tanaka et al and Baseman et al further disclose the method of circulating a gaseous atmosphere through the interior of the pod continually in such a way to selectively remove at least one contaminant including particulate substances or chemical substances or moisture to expose the substrates to a controlled atmosphere while the substrates are retained in the pod. It would have been obvious to an ordinary person skilled in the art the time the invention was made to provide a transport pod as taught by either Tanaka et al or Baseman et al in order to provide a substrate transport container which is not only capable of efficiently preventing substrate accommodated therein from being contaminated by an ambient atmosphere but which is also capable of effectively preventing contamination of the substrates with contaminants generated from the substrates themselves and the component parts in the container.

As to the numerical requirements, i.e. "No particles of larger than 0.1 microns in excess of 10 particles/m<sup>3</sup>, or organic substances in excess of 1 ug/m<sup>3</sup>" of claim 3, the specification contains no disclosure of either the critical nature of these requirements or any unexpected results arising therefrom, as as such these requirements would be arbitrary and therefore obvious. Applicants must show that these requirements are critical. In re Woodruff, 16 USPQ 2d 1934.

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*Allowable Subject Matter*

3. Claims 11-36 allowed.
4. The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a substrate transport pod for containing, storing or transporting substrates comprising a pod which is formed primarily of a material having moisture absorption coefficient of not more than 0.1% wherein the pod is in contact with the substrates directly or indirectly and has a conductive part so as to enable static charges to be drained from the pod.
5. Claims 37-50 allowed.
6. The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a substrate transport apparatus comprising an identifier for distinguishing individual pods whose historical data is managed by a computing apparatus.
7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Williams (5,749,469) discloses a wafer carrier.

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- Kos (5,255,797) discloses a wafer carrier with wafer retaining cushions.
- Suffel (5,207,548) discloses a wafer transfer apparatus.
- Milliren (4,471,716) discloses a wafer carrier.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau Pham whose telephone number is (703) 308-1605. The examiner can normally be reached on Monday-Friday (except Wednesday) from 7:15 a.m. to 5:45 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Duane Smith, can be reached on (703) 308-3792. The fax phone number for this Group is (703) 872-9310 (non-finals) or (703) 872-9311 (after-finals).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.



**Minh-Chau Pham**

**Patent Examiner**

June 20, 2003